

TYPE II DEVELOPMENT REVIEW STAFF REPORT & DECISION

Form DS1401



Project Name: CLARK PUBLIC UTILITIES
WELL STATION 13.1

Case Number: PSR2004-00049

Location: East side of NW 31st Avenue, approximately 200 feet south of NW 124th Street.

Request: To construct a public water supply well, well house and water treatment facility within a 1-acre easement on a 28.4-acre parcel located in the R1-6 zoning district.

Applicant: Clark Public Utilities
Attn: Russ Knutson, P.E.
PO Box 8900
Vancouver, WA 98668
(360) 992-8552

Contact Person: Harper Houf Petterson Righellis Inc.
Attn: Randall Stark, P.E.
1104 Main Street, Suite 100
Vancouver, WA 98660
(360) 750-1131

Property Owner: Vancouver School District #37
PO Box 8937
Vancouver, WA 98668

DECISION

Approved, subject to Conditions of Approval

Team Leader's Initials: **Date Issued:** November 17, 2004

County Review Staff:

	<u>Name</u>	<u>Phone</u> (360) 397- 2375 Ext.	<u>E-mail Address</u>
Planner:	Alan Boguslawski	4921	Alan.boguslawski@clark.wa.gov

Engineer (Trans. & Stormwater):	Fereidoon Safdari	4219	Fereidoon.safdari@clark.wa.gov
Engineer (Trans. Concurrency):	Shelley Oylear	4354	Shelley.oylear@clark.wa.gov
Team Leader:	Krys Ochia	4834	Krys.ochia@clark.wa.gov
Engineering Supervisor: (Trans. & Stormwater):	Richard Drinkwater P.E.	4492	Richard.drinkwater@clark.wa.gov
Engineering Supervisor: (Trans. Concurrency):	Steve Schulte P. E.	4017	Steve.schulte@clark.wa.gov

Parcel Number: Tax Lot 5,8,16,17 (187329), located in the SW ¼ of Section 28, Township 3 North, Range 1 East of the Willamette Meridian.

Comp Plan Designation: Public Facilities

Zoning Designation: Single-family Residential (R1-6)

Applicable Laws:

Clark County Code (CCC) Sections: 15.12 (Uniform Fire Code), 40.220.010 (Single Family Residential Districts), 40.260.240 (Utilities), 40.320 (Landscaping & Screening), 40.350 (Transportation & Circulation), 40.370 (Sewer & Water), 40.380 (Stormwater & Erosion Control), 40.500 (Procedures), 40.510.020 (Type II Process), and 40.520.040 (Site Plan Review).

Neighborhood Association/Contact:

Felida Neighborhood Association
Michele Cotner, President
3711 NW 134 Circle
Vancouver, WA 98685
(360)573-0822

Time Limits:

The application was determined to be fully complete on August 31, 2004. Therefore, the County Code requirement for issuing a decision within 78 days lapses on November 17, 2004. The State requirement for issuing a decision within 120 calendar days, lapses on December 29, 2004.

Vesting:

An application is reviewed for compliance with the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days from the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on June 10, 2003. The pre-application was determined to be contingently vested on May 14, 2004, the date the fully complete pre-application was submitted.

The fully complete application was submitted on August 10, 2004 and determined to be fully complete on August 31, 2004. Given these facts the application is vested on May 14, 2004.

Public Notice:

Notice of application was mailed to the applicant, the Felida Neighborhood Association, and owners of property located within 300 feet of the site on September 13, 2004.

Public Comments:

The county received no written public comments in response to the public notice.

Project Overview

The development site is a one acre easement located in the northwest corner of a 28.44 acre parcel owned by the Vancouver School District and occupied by the Felida Elementary School and the Thomas Jefferson Middle School, along with their sports fields.

NW 31st Avenue abuts the site on the west and provides access. Across 31st Avenue to the west and abutting the site on the north are single-family houses.

Surrounding uses and zoning are as indicated along with those of the site in the following table:

Compass	Comp Plan	Zoning	Current Land Use
Site	Public Facilities	Single-family Residential (R1-6)	Vacant
North	Urban Low Density Residential	Medium Density Residential (R-12)	Single-family dwellings
West	Urban Low Density Residential	Single-family Resident'l (R1-10)	Single-family dwellings
South	Public Facilities	Single-family Residential (R1-6)	Public School
East	Public Facilities	Single-family Residential (R1-6)	Public School

Staff Analysis

Staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1 Use

The proposal is considered to be a "utility substation", as defined in CCC 40.100.070. Pursuant to CCC 40.260.240, such facilities are permitted in any zone, subject to site plan approval in accordance with CCC 40.520.040. .

Finding 2 Utility Easement

The applicant has provided a copy of a recorded easement agreement with the Vancouver School District. The site plan matches the legal description of the easement. No lease area is involved, therefore a land division for purposes of sale or lease is not required.

Finding 3 Landscaping

Landscape buffers are required around the perimeter of the site in accordance with Table 40.320.010-1 as follows:

- | | |
|---------------------------------|---|
| • north (abutting R-12 zoning): | 5-foot buffer with L3 landscape screening |
| • east, south & west: | none required between single family zoned parcels |

While the screening and buffering table does not require landscape buffers between single-family zoned parcels, staff must acknowledge that the proposed use is not the same as a residence, and some buffering may be warranted along the west property boundary, as well as the north. Staff further finds that the landscape buffering that was required for the school's conditional use permit should sufficiently serve the well station development, and that is what the applicant is proposing. Staff concurs that the existing west landscape buffer is adequate.

Staff observed on a site visit that the landscape buffer that is in place along the north site boundary does not meet the L3 standard that is required by Table 40.320.010-1, and which was required through the conditional use permit for Thomas Jefferson Middle School (CUP2002-00015). In accordance with CCC 40.320.010(B)(3), the L3 standard requires sufficient high shrubs to form a screen six feet high and 95% opaque year around. Staff observed that the existing shrubs along the north site boundary are not sufficiently dense to meet the L3 standard. Therefore, this development should be conditioned to provide additional plantings to meet the standard. (see Condition A-1)

The proposed landscaping should be installed prior to issuance of a certificate of occupancy. (see Condition C-1)

Finding 4 Parking

The proposed development is an un-manned utility substation. The applicant estimates that the only site trips, once the facility is constructed, will be maintenance and inspection visits approximately twice each month.

Staff observes that there is no street parking on NW 31st Avenue in the immediate vicinity of the site. However, the applicant is proposing a driveway that will provide adequate parking for the maintenance visits. Therefore, no additional on-site parking requirements are necessary.

CRITICAL AREAS:

Finding 5 Ground Water

The proposal is exempt from SEPA review in accordance with WAC 197-11-800(4) if it does not exceed 2,250 GPM of ground water being pumped. The application narrative declares an anticipated typical maximum well flow of 1,200 gallons per minute. Therefore it is exempt from SEPA review.

A condition of approval is warranted requiring the well station not to exceed the SEPA threshold. (see Condition D-3)

TRANSPORTATION:

Finding 6 Circulation Plan

The subject site is served by NW 119th Street (East/West), NW 31st Avenue, and NW 36th Avenue (North/South). These are all public roads. The proposed well site is located within a parcel owned by Vancouver School District. The well site is located at northwest corner of the school parcel. NW 31st Avenue is a public road located to the west of the subject well site and provides for direct access. The area to the north and west are residential developments. NW 119th Street provides access to I-5 and NW 36th Avenue / NW Lakeshore. NW 119th Street is a fully improved public road and is classified as an Urban Minor Arterial (M-2cb). NW 36th Avenue in the vicinity of the project site is an unclassified road. NW 31st Avenue is an Urban Neighborhood Circulator road. Frontage improvements including half street pavement curb & gutter, and sidewalk have been constructed as part of Thomas Jefferson Middle School project. The construction has completed frontage improvements along the frontage of the proposed well site. NW 31st Avenue and NW 119th Street is not a signalized intersection. But the intersection of NW 119th Street and NW 36th Avenue is equipped with signal.

The proposed development is not required to construct frontage improvements along NW 31st Avenue since half street improvements have recently been constructed as part of TJMS project. The half street improvements have been constructed according to design criteria for Urban Neighborhood Circulator roads. Currently, the north end of NW 31st Avenue (approximately 370 feet passed the proposed project site) is private road within public right of way.

Finding 7 Roads

As discussed above, the proposed project is not required to construct frontage improvement along NW 31st Avenue. The road is a neighborhood circulator which requires the following:

- A minimum right of way width of 54 feet
- A minimum width paved roadway of 36 feet
- Curb & gutter and minimum sidewalk width of 5-feet
- landscaping

The existing half street right of way width is 16.5 feet and additional 10.5 feet of ROW has been proposed to be dedicated. The applicant's plans show a 20 foot existing pavement. The minimum right-of-way width dedication and improvements along NW 31st Avenue is in accordance with CCC Table 40.350.030-4 and Standard Details Manual, Drawing # 13. The applicant's proposed right of way dedication meets the requirements of CCC 40.350.030, Street and Road Standards.

Finding 8 Access

All driveways shall comply with the Transportation Standards (CCC 40.350) and the requirements of the Fire Marshal. The Fire Marshal's requirements shall take precedence when they are more stringent than the Transportation Standards. Nonresidential driveways are prohibited from taking access from an urban access road as defined in Table 40.350-4 unless no access exists or can be provided to a collector. The proposed well station site is located in an easement area within the property of newly constructed Thomas Jefferson Middle School, at the northwest corner along NW 31st Avenue. There are no roads other than NW 31st Avenue that the proposed water supply well station site can access. Therefore, NW 31st Avenue will serve the proposed well site as primary and only access road. The well station site can be accessed from both the south through NW 119th Street and then onto NW 31st Avenue and from the north through NW 124th Street.

The applicant has proposed one driveway along NW 31st Avenue to provide access to the well station. An existing driveway is located approximately 33 feet to the south on the opposite side of NW 31st Avenue. Another driveway is located approximately 147 feet to the north, on the opposite side of the road. However, NW 31st Avenue is an urban neighborhood circulator and there are no driveway spacing standards for urban access roads. The applicant has stated that only a few trips per month will be required to visit the well station to maintain the facility. This should have a minimal impact on the local traffic. The proposed driveway varies in width between 16 feet (at NW 31st Avenue intersection) to 31 feet at the proposed building. The driveway would be compacted crushed rock (95% max. density per ASTM D-1557) with compacted sub-grade (95% max density per ASTM D-1557). The first 25 feet of the driveway shall be paved, as indicated on the preliminary site plan.

Finding 9 Sight Distance

The approval criteria for sight distance are found in CCC 40.350.030(B)(8). This section establishes minimum sight distance at intersections and driveways. With a 20 mile per hour speed on NW 31st Avenue, 200 feet of sight distance is required in both directions at the location of the proposed driveway. Staff finds the proposed driveway location to have adequate sight distance.

STORMWATER:

Finding 10 Applicability

The provisions of the Stormwater and Erosion Control Ordinance (CCC 40.380) apply to development activities that result in 2,000 square feet of impervious area within the urban area; and all land disturbing activities, except those exempted in Section 40.380.030.

The proposed CPU water supply project will create more than 2,000 square feet of new impervious area including roof area, gravel driveway, and pavement. However, a preliminary stormwater plan was not required of the proposed well station project because the site had already been accounted for as part of Thomas Jefferson Middle School stormwater facility. This is in accordance with CCC 40.380.030(A)(10).

To verify that the assumptions used during the design of TJMS stormwater facility are still valid, the applicant was required to submit the following:

- A report to address conveyance and disposal of on-site stormwater runoff
- An erosion control plan

Finding 11 Stormwater Proposal

The stormwater runoff from the CPU water supply well station site will be collected and discharged into newly constructed TJMS stormwater facilities. The middle school project has already been completed and stormwater facilities have been constructed. The applicant has stated that roof drains from building will be connected to site storm drains and the on-site stormwater facilities will be maintained privately.

Finding 12 Site Conditions and Stormwater Issues

The existing site topography indicates that the site drains to the south and west. A low point is located at approximately south boundary limit of the 1-acre easement area in which the proposed water supply well station will be located. The ground is currently covered with grass. The site is underlain with Hillsboro soil. This type of soil is typically not good for infiltration. As it was discussed earlier, stormwater runoff from the proposed project site will be collected, conveyed through pipes and discharged into newly constructed TJMS stormwater facilities. The proposed and approved TJMS's stormwater facilities accounted for treatment and disposal of the stormwater runoff from the proposed well station site.

The applicant has stated that "the well water withdrawn from the proposed well will require treatment for removal of iron and manganese prior to pumping into the public water supply system. The removal system filters will be back flushed once a day on those days that the well is operated. The back flushed water will be stored in an underground vault. CPU is coordinating with the school district to utilize the back flush water for landscape irrigation on the school property. The storage vault will have an overflow pipe that will be connected to the TJMS storm drainage system".

The applicant has stated "According to Clark Public Utilities water department engineers, the backflush water will meet public drinking water standards as is, without additional treatment.

The proposed water supply well station building must be designed to provide positive drainage from the bottom of footings to an approved stormwater system. (see Condition A-2)

Based upon the development site characteristics, the proposed stormwater plan, the requirements of the county's stormwater ordinance, and the findings above, Engineering Services staff concludes that the proposed preliminary stormwater plan, subject to the conditions of approval, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Finding 13 Erosion Control

The erosion control ordinance is intended to minimize the potential for erosion. A plan is required for all projects meeting the applicability criteria listed in CCC 40.380.020. This project is subject to the erosion control ordinance.

FIRE PROTECTION:

Finding 14 Fire Marshal Review

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (see Condition B-2)

Finding 15 Fire Flow

Fire flow in the amount of 1,000 gallons per minute supplied for two hours duration is required for this application. Information from the water purveyor indicates that the required fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved, and operational prior to the commencement of combustible building construction. (see Condition B-3)

Finding 16 Fire Hydrants

Fire hydrants are required to be provided such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant, as measured along approved fire apparatus access roads.

Fire Marshal staff indicates that the indicated number and spacing of fire hydrants is adequate.

Finding 17 Fire Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Fire apparatus turnarounds are not required for this application.

IMPACT FEES:

Finding 18 Traffic Impact Fees

The proposed development will have negligible impact on traffic in the area, and is therefore exempt from traffic impact fees.

DECISION

Based upon the proposed plan (identified as Exhibit #1) and the findings and conclusions stated above, the Development Services Manager hereby **APPROVES** this request, subject to the following conditions of approval:

Conditions of Approval

A. Conditions that must be met prior to Final Site Plan approval.

- A-1** The applicant shall submit a landscape plan that provides additional high shrubs along the north site boundary that will, in combination with those existing, form a six foot high 95% opaque year around screen within 3 years of planting, in accordance with CCC 40.320.010(B)(3). (see Finding 3)
- A-2** The proposed building shall be designed to provide positive drainage from the bottom of footings to an approved stormwater system. (see Finding 12)

B. Conditions that must be met prior to issuance of Building Permits

- B-1** Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

The applicant shall maintain all existing signs within the public right of way within the limits of the development's construction until the public roads have been accepted by the county. The developer shall install and maintain temporary signs where the development's signing and striping plan shows new or modified warning or regulatory signs. New or modified temporary signing shall be installed when any connection is made to the public road network. The developer shall

remove the temporary signs immediately after the county installs the permanent signing and striping. (see Finding 8)

- B-2** Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (see Finding 14)
- B-3** Water mains supplying fire flow and fire hydrants shall be installed, approved, and operational prior to the commencement of combustible building construction. Fire hydrants shall be provided with appropriate "storz" adapters for the pumper connection. A six-foot clear space shall be maintained completely around every fire hydrant. (see Finding 15)

C. Conditions that must be met prior to issuance of Occupancy Permits

- C-1** Prior to issuance of a certificate of occupancy, the applicant shall install landscaping in accordance with the final approved site plan/landscape plan. (see Finding 3)
- C-2** Prior to issuance of a certificate of occupancy, the applicant shall construct and install the stormwater improvements in accordance with the approved final engineering plans.

D. Standard Conditions

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

Site Plan Approval:

- D-1** Within five (5) years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

Landscaping:

- D-2** Prior to issuance of an approved occupancy for any building on this site plan, the applicant shall submit a copy of the approved landscape plan with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

Maximum Well Flow:

- D-3** Operation of this well shall not exceed 2,250 gallons per minute of water pumped without SEPA review. (see Finding 5)

Stormwater:

- D-4** Prior to construction, the applicant shall submit and obtain county approval of a final stormwater plan designed in conformance to CCC 30.380.

Pre-Construction Conference:

- D-5** Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

Erosion Control:

- D-6** Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.
- D-7** Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.
- D-8** Erosion control facilities shall not be removed without County approval.

Excavation and Grading:

- D-9** Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).
- D-10** Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

Note: The Development Services Manager reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

This decision may be appealed to the County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Development Service Manager within the designated comment period.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on November 17, 2004. Therefore any appeal must be received in this office by 4:30 PM, December 1, 2004.

APPEAL FILING DEADLINE
Date: December 1, 2004

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. A check in the amount of **\$1070** (made payable to the Department of Community Development).

The appeal request and fee shall be submitted to the Department of Community Development, Customer Service Center, between 8:00 AM and 4:30 PM Monday through Friday, at the address listed below.

A copy of the approved preliminary plan and Clark County Code are available for review at:

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

Attachments:

- Copy of Proposed Preliminary Plan